

BEFORE THE BOARD OF MEDICAL EXAMINERS
OF THE STATE OF NEVADA

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In The Matter of Charges and
Complaint Against
JOSEPH EDWARDS, M.D.
Respondent.

Case No. 10-9751-1

FILED

OCT 11 2010

NEVADA STATE BOARD OF
MEDICAL EXAMINERS
By: [Signature]

COMPLAINT

The Investigative Committee of the Nevada State Board of Medical Examiners, composed at the time filing was approved of Charles N. Held, M.D., Theodore Berndt, M.D., and Ms. Valerie Clark, BSN, RHU, LUTCF, having a reasonable basis to believe that Joseph Edwards, M.D. hereinafter referred to as Dr. Edwards, has violated the provisions of NRS Chapter 630, hereby issues its formal Complaint, stating the Investigative Committee's charges and allegations, as follows:

1. Dr. Edwards is currently licensed in active status (License No. 5496), and has been so licensed since licensed on May 9, 1987 by the Nevada State Board of Medical Examiners pursuant to the provisions of Chapter 630 of the Nevada Revised Statutes.

2. Pursuant to standard procedure, the Investigative Committee, through Board staff, requested Dr. Edwards to provide a response and records related to a matter before the Committee. This initial request was made in December 2003.

3. Board staff was contacted in early 2004 and was notified that Dr. Edwards was represented by counsel and that the requested response would be forthcoming. No response or records was received and several more requests were made for the requested information.

4. On May 12, 2010, an order was personally served on counsel for Dr. Edwards requesting a response and records regarding the matter before the Investigative Committee. The

1 materials were ordered to be provided within ten days of service of the order. The order was also
2 served on Dr. Edwards by certified mail.

3 5. No records or response were received by the Investigative Committee or Board
4 staff subsequent to the serving of the order on May 12, 2010.

5 6. On August 4, 2010, counsel for Dr. Edwards was personally served with an order to
6 appear before the Investigative Committee on August 27, 2010 in Reno, Nevada to explain why he
7 had failed to comply with the May 12, 2010 order of the Investigative Committee and previous
8 attempts to secure a response and records. A copy of the Order was also personally served on
9 Dr. Edwards on August 5, 2010. The Order also demanded that Dr. Edwards provide the
10 requested records and response at the time of the meeting with the Investigative Committee.

11 7. On the afternoon of August 26, 2010, counsel for Dr. Edwards sent by fax a
12 response on behalf of Dr. Edwards to the offices of the Board.

13 8. On August 27, 2010, counsel for Dr. Edwards appeared before the Investigative
14 Committee, however, Dr. Edwards was not present. Counsel for Dr. Edwards indicated that he
15 had advised Dr. Edwards he need not appear; however, the Investigative Committee at no time
16 excused Dr. Edwards from his appearance. Counsel for Dr. Edwards also provided partial records
17 as requested with additional records being received the following week.

18 Count I

19 9. NRS 630.3065(2)(a) provides that willful failure to comply with a regulation,
20 subpoena or order of the Board or a committee designated by the Board to investigate a complaint
21 against a physician is grounds for initiating disciplinary action against a physician.

22 10. Dr. Edwards failed to comply with the order of the Investigative Committee served
23 on May 12, 2010 when he failed to provide either records or a response as ordered.

24 11. Dr. Edwards failed to comply with the order of the Investigative Committee served
25 upon him on August 5, 2010 and on his attorney on August 4, 2010, when he failed to appear before
26 the Investigative Committee on August 27, 2010.

27 12. By reason of the foregoing, Dr. Edwards is subject to discipline by the Nevada
28 State Board of Medical Examiners as provided in NRS 630.352.

1 **WHEREFORE**, the Investigative Committee prays:

2 1. That the Nevada State Board of Medical Examiners give Dr. Edwards notice of the
3 charges herein against him and give him notice that he may file an answer to the Complaint herein
4 as set forth in Section 630.339 of the Nevada Revised Statutes within twenty (20) days of service
5 of the Complaint.

6 2. That the Nevada State Board of Medical Examiners set a time and place for a
7 formal hearing after holding an Early Case Conference pursuant to NRS 630.339(3);

8 3. That the Nevada State Board of Medical Examiners determine what sanctions to
9 impose if it determines there has been a violation or violations of the Medical Practice Act
10 (Nevada Revised Statutes Chapter 630) committed by Dr. Edwards; and

11 4. That the Nevada State Board of Medical Examiners make, issue and serve on
12 Dr. Edwards its findings of facts, conclusions of law and order, in writing, that includes the
13 sanctions imposed; and

14 5. That the Nevada State Board of Medical Examiners take such other and further
15 action as may be just and proper in these premises.

16 DATED this 11th day of October, 2010.

17
18 THE NEVADA STATE BOARD OF MEDICAL EXAMINERS

19 By: 
20 Lyn E. Beggs, Esq.

21 General Counsel and Attorney for the Investigative Committee
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VERIFICATION

STATE OF NEVADA)
 : ss.
COUNTY OF DOUGLAS)

CHARLES N. HELD, M.D., having been duly sworn, hereby deposes and states under penalty of perjury that he is the Chairman of the Investigative Committee of the Nevada State Board of Medical Examiners that authorized the complaint against the Respondent herein; that he has read the foregoing Complaint; and that based upon information discovered in the course of the investigation into a complaint against Respondent, he believes that the allegations and charges in the foregoing Complaint against Respondent are true, accurate, and correct.

DATED this 11th day of October, 2010.



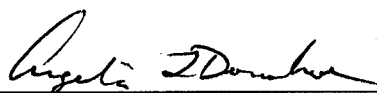
CHARLES N. HELD, M.D.

CERTIFICATE OF MAILING

I hereby certify that I am employed by Nevada State Board of Medical Examiners and that on 11th day of October 2010; I served a file copy of the COMPLAINT and Fingerprint Information, by mailing via USPS certified mail to the following:

James Rosenberger, Esq.
1916 S. Eastern Ave.
Las Vegas, NV 89104

Dated this 11th day of October 2010.



Angelia L. Donohoe
Legal Assistant